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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,106	02/05/2002	Michael Carlson	PANG-1-1002	5747

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EXAMINER
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AGWUMEZIE, CHARLES C

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/068,106

Applicant(s)

CARLSON, MICHAEL

Examiner

Charlie C. Agwumezie

Art Unit

3621

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02/05/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-4, 12 and 13**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin et al U.S. Patent 6,000832 in view of Lapsley et al U.S. Patent 6,879,966.

1. As per **claim 1 and 12**, Franklin et al discloses a computer based verification method comprising:

storing a buyer account number and account data on a buyer system (fig. 1, col. 5, lines 13-15);

storing a seller account number and account data on a seller system (fig. 1);

determining a transaction amount (col. 2, lines 22-37);

determining a transaction time (col. 2, lines 22-37);

generating a first set of sample data from the data stored on the buyer system based on the determined transaction time and the account numbers associated with the account data previously stored on the buyer and seller systems (col. 2, lines 22-37);

generating a second set of sample data from the data previously stored on the seller system based on the determined transaction time and the account numbers associated with the account data previously stored on the buyer and seller systems (col. 2, lines 47-60);

comparing at least a portion of the generated first set of sample data to at least a portion of the second set of sample data (col. 16, lines 27-30);

sending the generated sample data to an administrator system, if the comparison is positive (fig. 7).

What Franklin does not explicitly teach is

comparing unique data included in the first set of sample data to unique data previously stored at the administrator system that is associated with the buyer account number;

comparing unique data included in the second set of sample data to unique data previously stored at the administrator system that is associated with the seller account number; and completing the transaction, if the unique data comparisons are positive.

Lapsley et al discloses a computer based verification method comprising:

comparing unique data included in the first set of sample data to unique data previously stored at the administrator system that is associated with the buyer account number (col. 12, lines 53—63, col. 2, lines 50-58, col. 5, lines 13-35);

comparing unique data included in the second set of sample data to unique data previously stored at the administrator system that is associated with the seller account number (col. 5, lines 13-50); and

completing the transaction, if the unique data comparisons are positive (col. 5, lines 35-45).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Franklin et al and incorporate a comparator that compares the sets of data as above in view of the teachings of Lapsley et al in order to show an alternative method of verifying the individual's identity.

2. As per claim 2 and 13, Franklin et al further discloses the method, wherein the generated first and second set of sample data is further generated based on the transaction amount (col. 1, lines 27-38, col. 2, lines 22-37, col. 9, lines 30-47).

3. As per claim 3, Franklin et al further discloses the method, wherein the seller system is in communication with the administrator system over a network (fig. 1).

4. As per claim 4, Franklin et al further discloses the method, wherein the seller system is in communication with the buyer system over a network (fig. 1).

Claims 5-9 and 14-18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin et al U.S. Patent 6,000,832 in view of Lapsley et al U.S. Patent 6,879,966 as applied to claim 1 and 12 above, and further in view of Bush et al U.S. Patent 5,130,519.

Art Unit: 3621

5. As per claim 5 and 14, both Franklin et al and Lapsley et al failed to disclose the method, wherein the account data at the buyer and seller systems comprise common data and unique data stored in a plurality of matrices, wherein the matrices are stored according to time.

Perlman et al discloses the method, wherein the account data at the buyer and seller systems comprise common data and unique data stored in a plurality of matrices, wherein the matrices are stored according to time (fig. 3, 4, and 4A-C; col. 4, lines 38-50 ).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Franklin et al and incorporate a comprise common data and unique data stored in a plurality of matrices, wherein the matrices are stored according to time as above in view of the teachings of Bush et al in order to show an alternative method of verifying the individual's identity.

6. As per claim 6 and 15, Franklin et al further discloses the method, wherein the unique data is unique to the associated account number (col. 9, lines 49-58, col. 10, lines 12-35).

7. As per claim 7 and 16, Franklin et al further discloses the method, wherein the common data is commonly addressable to all buyer and seller account numbers in a series (col. 2, lines 22-37).

8. As per claim 8 and 17, both Franklin et al and Lapsley et al failed to disclose the method, wherein each matrix has a unique matrix orientation.

Bush et al discloses the method, wherein each matrix has a unique matrix orientation (fig. 3, 4, and 4A-C; col. 4, lines 17-38).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Franklin et al and incorporate a method, wherein each matrix has a unique matrix orientation in view of the teachings of Bush et al in order to show an alternative method of verifying the individual's identity.

9. As per claim 9 and 18, Franklin et al, Lapsley et al et al failed to disclose the method, wherein each matrix comprises an unscramble key.

Bush et al discloses the method, wherein each matrix comprises an unscramble key (fig. 4, col. 1, lines 10-20).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Franklin et al and incorporate the method, wherein each matrix comprises an unscramble key in view of the teachings of Bush et al in order to show an alternative method of verifying the individual's identity.

Claims 10-11 and 19-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin et al U.S. Patent 6,000,832 in view of Lapsley et al U.S. Patent 6,879,966 and Bush et al U.S. Patent 5,130,519 as applied to claim 1 and 12 above, and further in view of Appleton U.S. Patent 4,016,404.

10. As per **claim 10, 11, 19 and 20**, Franklin et al, Lapsley et al failed to explicitly disclose the method, wherein generating the first set of sample data comprises retrieving a matrix based on the determined transaction time, generating a base matrix from the retrieved matrix based on the unscramble key associated with the retrieved matrix, generating a scramble matrix based on a product of the buyer and seller account numbers, and producing the sample by retrieving one or more row or columns from the generated scramble matrix.

Bush et al discloses the method, wherein generating the first set of sample data comprises retrieving a matrix based on the determined transaction time (fig. 3; col.4, lines 38-50). Bush further discloses generating a base matrix from the retrieved matrix based on the unscramble key associated with the retrieved matrix (fig. 4, col. 1, lines 10-20).

What Bush does not teach is generating a scramble matrix based on a product of the buyer and seller account numbers, and producing the sample by retrieving one or more row or columns from the generated scramble matrix.

Appleton discloses generating a scramble matrix based on a product of the buyer and seller account numbers, and producing the sample by retrieving one or more row or columns from the generated scramble matrix (col. 2, lines 12-45, col. 4, lines 1-15)

Accordingly it would have been obvious to one of ordinary skill in the art at the



Art Unit: 3621

time of applicant's invention to modify the system of Franklin et al and incorporate the methods as describe above, wherein each matrix comprises an unscramble key in view of the teachings of Appleton in order to show an alternative method of verifying the individual's identity.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references cited to Schmidt U.S Patent Application Publication 2001/0047323 A1 and Iribarren et al U.S. Patent Application Publication 2002/0065769 A1, are documents considered relevant to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Agwumezie whose number is (571) 272-6838. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272 – 6712. The fax phone number for the organization where the application or proceeding is assigned is (703) 305-7687. [Official communications; including After Final communications labeled "Box AF"]. (703) 308-1396 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"].

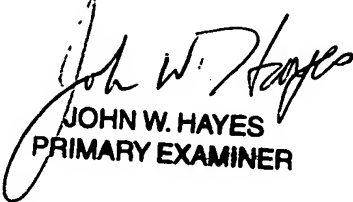
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Art Unit: 3621

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May 05, 2005

  
JOHN W. HAYES  
PRIMARY EXAMINER